

111TH CONGRESS  
1ST SESSION

# S. 1070

To establish the Small Business Information Security Task Force to address information security concerns relating to credit card data and other proprietary information.

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IN THE SENATE OF THE UNITED STATES

MAY 19, 2009

Ms. SNOWE (for herself and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

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## A BILL

To establish the Small Business Information Security Task Force to address information security concerns relating to credit card data and other proprietary information.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SMALL BUSINESS INFORMATION SECURITY**  
4 **TASK FORCE.**

5 (a) DEFINITIONS.—In this section—

6 (1) the terms “Administration” and “Adminis-  
7 trator” mean the Small Business Administration  
8 and the Administrator thereof, respectively;

1           (2) the term “small business concern” has the  
2           same meaning as in section 3 of the Small Business  
3           Act (15 U.S.C. 632); and

4           (3) the term “task force” means the task force  
5           established under subsection (b).

6           (b) ESTABLISHMENT.—The Administrator, in coordi-  
7           nation with the Secretary of Homeland Security, shall es-  
8           tablish a task force, to be known as the Small Business  
9           Information Security Task Force, to address the informa-  
10          tion technology security needs of small business concerns  
11          and to help small business concerns prevent the loss of  
12          credit card data.

13          (c) DUTIES.—The task force shall—

14               (1) identify—

15                   (A) the information technology security  
16                   needs of small business concerns; and

17                   (B) the programs and services provided by  
18                   the Federal Government, State Governments,  
19                   and nongovernment organizations that serve  
20                   those needs;

21               (2) assess the extent to which the programs and  
22               services identified under paragraph (1)(B) serve the  
23               needs identified under paragraph (1)(A);

1           (3) make recommendations to the Adminis-  
2           trator on how to more effectively serve the needs  
3           identified under paragraph (1)(A) through—

4                   (A) programs and services identified under  
5           paragraph (1)(B); and

6                   (B) new programs and services promoted  
7           by the task force;

8           (4) make recommendations on how the Admin-  
9           istrator may promote—

10                   (A) new programs and services that the  
11           task force recommends under paragraph (3)(B);  
12           and

13                   (B) programs and services identified under  
14           paragraph (1)(B);

15           (5) make recommendations on how the Admin-  
16           istrator may inform and educate with respect to—

17                   (A) the needs identified under paragraph  
18           (1)(A);

19                   (B) new programs and services that the  
20           task force recommends under paragraph (3)(B);  
21           and

22                   (C) programs and services identified under  
23           paragraph (1)(B);

24           (6) make recommendations on how the Admin-  
25           istrator may more effectively work with public and

1 private interests to address the information tech-  
2 nology security needs of small business concerns;  
3 and

4 (7) make recommendations on the creation of a  
5 permanent advisory board that would make rec-  
6 ommendations to the Administrator on how to ad-  
7 dress the information technology security needs of  
8 small business concerns.

9 (d) INTERNET WEBSITE RECOMMENDATIONS.—The  
10 task force shall make recommendations to the Adminis-  
11 trator relating to the establishment of an Internet website  
12 to be used by the Administration to receive and dispense  
13 information and resources with respect to the needs identi-  
14 fied under subsection (c)(1)(A) and the programs and  
15 services identified under subsection (c)(1)(B). As part of  
16 the recommendations, the task force shall identify the  
17 Internet sites of appropriate programs, services, and orga-  
18 nizations, both public and private, to which the Internet  
19 website should link.

20 (e) EDUCATION PROGRAMS.—The task force shall  
21 make recommendations to the Administrator relating to  
22 developing additional education materials and programs  
23 with respect to the needs identified under subsection  
24 (c)(1)(A).

1       (f) EXISTING MATERIALS.—The task force shall or-  
 2       ganize and distribute existing materials that inform and  
 3       educate with respect to the needs identified under sub-  
 4       section (c)(1)(A) and the programs and services identified  
 5       under subsection (c)(1)(B).

6       (g) COORDINATION WITH PUBLIC AND PRIVATE SEC-  
 7       TOR.—In carrying out its responsibilities under this sec-  
 8       tion, the task force shall coordinate with, and may accept  
 9       materials and assistance as it determines appropriate  
 10      from, public and private entities, including—

11           (1) any subordinate officer of the Adminis-  
 12      trator;

13           (2) any organization authorized by the Small  
 14      Business Act to provide assistance and advice to  
 15      small business concerns;

16           (3) other Federal agencies, their officers, or  
 17      employees; and

18           (4) any other organization, entity, or person not  
 19      described in paragraph (1), (2), or (3).

20      (h) APPOINTMENT OF MEMBERS.—

21           (1) CHAIRPERSON AND VICE-CHAIRPERSON.—

22      The task force shall have—

23           (A) a Chairperson, appointed by the Ad-  
 24      ministrator; and

1 (B) a Vice-Chairperson, appointed by the  
 2 Administrator, in consultation with appropriate  
 3 nongovernmental organizations, entities, or per-  
 4 sons.

5 (2) MEMBERS.—

6 (A) CHAIRPERSON AND VICE-CHAIR-  
 7 PERSON.—The Chairperson and the Vice-Chair-  
 8 person shall serve as members of the task force.

9 (B) ADDITIONAL MEMBERS.—

10 (i) IN GENERAL.—The task force shall  
 11 have additional members, each of whom  
 12 shall be appointed by the Chairperson,  
 13 with the approval of the Administrator.

14 (ii) NUMBER OF MEMBERS.—The  
 15 number of additional members shall be de-  
 16 termined by the Chairperson, in consulta-  
 17 tion with the Administrator, except that—

18 (I) the additional members shall  
 19 include, for each of the groups speci-  
 20 fied in paragraph (3), at least 1 mem-  
 21 ber appointed from within that group;  
 22 and

23 (II) the number of additional  
 24 members shall not exceed 13.

1           (3) GROUPS REPRESENTED.—The groups speci-  
2       fied in this paragraph are—

3                   (A) subject matter experts;

4                   (B) users of information technologies with-  
5       in small business concerns;

6                   (C) vendors of information technologies to  
7       small business concerns;

8                   (D) academics with expertise in the use of  
9       information technologies to support business;

10                  (E) small business trade associations;

11                  (F) Federal, State, or local agencies, in-  
12       cluding the Department of Homeland Security,  
13       engaged in securing cyberspace; and

14                  (G) information technology training pro-  
15       viders with expertise in the use of information  
16       technologies to support business.

17           (4) POLITICAL AFFILIATION.—The appoint-  
18       ments under this subsection shall be made without  
19       regard to political affiliation.

20       (i) MEETINGS.—

21               (1) FREQUENCY.—The task force shall meet at  
22       least 2 times per year, and more frequently if nec-  
23       essary to perform its duties.

24               (2) QUORUM.—A majority of the members of  
25       the task force shall constitute a quorum.

1           (3) LOCATION.—The Administrator shall des-  
2           ignate, and make available to the task force, a loca-  
3           tion at a facility under the control of the Adminis-  
4           trator for use by the task force for its meetings.

5           (4) MINUTES.—

6                 (A) IN GENERAL.—Not later than 30 days  
7                 after the date of each meeting, the task force  
8                 shall publish the minutes of the meeting in the  
9                 Federal Register and shall submit to Adminis-  
10                trator any findings or recommendations ap-  
11                proved at the meeting.

12               (B) SUBMISSION TO CONGRESS.—Not later  
13               than 60 days after the date that the Adminis-  
14               trator receives minutes under subparagraph  
15               (A), the Administrator shall submit to the Com-  
16               mittee on Small Business and Entrepreneurship  
17               of the Senate and the Committee on Small  
18               Business of the House of Representatives such  
19               minutes, together with any comments the Ad-  
20               ministrator considers appropriate.

21           (5) FINDINGS.—

22                 (A) IN GENERAL.—Not later than the date  
23                 on which the task force terminates under sub-  
24                 section (m), the task force shall submit to the  
25                 Administrator a final report on any findings



1 and recommendations of the task force ap-  
2 proved at a meeting of the task force.

3 (B) SUBMISSION TO CONGRESS.—Not later  
4 than 90 days after the date on which the Ad-  
5 ministrator receives the report under subpara-  
6 graph (A), the Administrator shall submit to  
7 the Committee on Small Business and Entre-  
8 preneurship of the Senate and the Committee  
9 on Small Business of the House of Representa-  
10 tives the full text of the report submitted under  
11 subparagraph (A), together with any comments  
12 the Administrator considers appropriate.

13 (j) PERSONNEL MATTERS.—

14 (1) COMPENSATION OF MEMBERS.—Each mem-  
15 ber of the task force shall serve without pay for their  
16 service on the task force.

17 (2) TRAVEL EXPENSES.—Each member of the  
18 task force shall receive travel expenses, including per  
19 diem in lieu of subsistence, in accordance with appli-  
20 cable provisions under subchapter I of chapter 57 of  
21 title 5, United States Code.

22 (3) DETAIL OF SBA EMPLOYEES.—The Admin-  
23 istrator may detail, without reimbursement, any of  
24 the personnel of the Administration to the task force  
25 to assist it in carrying out the duties of the task

1 force. Such a detail shall be without interruption or  
2 loss of civil status or privilege.

3 (4) SBA SUPPORT OF THE TASK FORCE.—

4 Upon the request of the task force, the Adminis-  
5 trator shall provide to the task force the administra-  
6 tive support services that the Administrator and the  
7 Chairperson jointly determine to be necessary for  
8 the task force to carry out its duties.

9 (k) NOT SUBJECT TO FEDERAL ADVISORY COM-  
10 MITTEE ACT.—The Federal Advisory Committee Act (5  
11 U.S.C. App.) shall not apply to the task force.

12 (l) STARTUP DEADLINES.—The initial appointment  
13 of the members of the task force shall be completed not  
14 later than 90 days after the date of enactment of this Act,  
15 and the first meeting of the task force shall be not later  
16 than 180 days after the date of enactment of this Act.

17 (m) TERMINATION.—

18 (1) IN GENERAL.—Except as provided in para-  
19 graph (2), the task force shall terminate at the end  
20 of fiscal year 2013.

21 (2) EXCEPTION.—If, as of the termination date  
22 under paragraph (1), the task force has not com-  
23 plied with subsection (i)(4) with respect to 1 or more  
24 meetings, then the task force shall continue after the  
25 termination date for the sole purpose of achieving

1 compliance with subsection (i)(4) with respect to  
2 those meetings.

3 (n) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out this section  
5 \$300,000 for each of fiscal years 2010 through 2013.

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